



**VIRTUAL/TELECONFERENCE
PHYSICAL THERAPY EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Tom Ryan (608) 266-2112
February 3, 2026**

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions of the Board.

AGENDA

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of November 5, 2025 (4-6)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns
- D. Introductions, Announcements and Recognition
- E. Administrative Matters – Discussion and Consideration**
 - 1. Department, Staff and Board Updates
 - 2. 2026 Meeting Dates (7)**
 - 3. Annual Policy Review (8-11)**
 - 4. Election of Officers, Appointment of Liaisons and Alternates, Delegation of Authorities (12-30)**
 - 5. Board Members – Term Expiration Dates
 - a. Bader, Lisa – 7/1/2029
 - b. Brewer, Kate – 7/1/2028
 - c. Bulkow, Brad – 7/1/2027
 - d. Johnson, Steven W. – 7/1/2029
 - e. McEldowney, Todd – 7/1/2025
- F. 9:00 A.M. Public Hearing – Clearinghouse Rule 25-089: PT 1 and 5, Relating to Telehealth and Supervision of Physical Therapy Assistants (31-46)**
- G. 9:00 A.M. Public Hearing – Clearinghouse Rule 25-090: PT 1, Relating to Compact Privilege Process Certification (47-56)**
 - 1. Review Public Hearing Comments and Respond to Clearinghouse Report
- H. Administrative Rule Matters – Discussion and Consideration**
 - 1. Scope Statement: PT 9, Relating to Continuing Education Providers **(57-59)**
 - 2. Pending or Possible Rulemaking Projects **(60)**

- I. Federation of State Boards of Physical Therapy (FSBPT) Matters – Board Travel (61)**
 - 1. Leadership Issues Forum – July 18-19, 2026 – Arlington, VA
 - 2. Annual Education Meeting – October 22-24, 2026 – Greenville, SC
- J. Legislative and Policy Matters – Discussion and Consideration**
- K. Discussion and Consideration of Items Added After Preparation of Agenda**
 - 1. Introductions, Announcements and Recognition
 - 2. Administrative Matters
 - 3. Election of Officers
 - 4. Appointment of Liaisons and Alternates
 - 5. Delegation of Authorities
 - 6. Education and Examination Matters
 - 7. Credentialing Matters
 - 8. Practice Matters
 - 9. Legislative and Policy Matters
 - 10. Administrative Rule Matters
 - 11. Liaison Reports
 - 12. Board Liaison Training and Appointment of Mentors
 - 13. Public Health Emergencies
 - 14. Informational Items
 - 15. Division of Legal Services and Compliance (DLSC) Matters
 - 16. Presentations of Petitions for Summary Suspension
 - 17. Petitions for Designation of Hearing Examiner
 - 18. Presentation of Stipulations, Final Decisions and Orders
 - 19. Presentation of Proposed Final Decisions and Orders
 - 20. Presentation of Interim Orders
 - 21. Petitions for Re-Hearing
 - 22. Petitions for Assessments
 - 23. Petitions to Vacate Orders
 - 24. Requests for Disciplinary Proceeding Presentations
 - 25. Motions
 - 26. Petitions
 - 27. Appearances from Requests Received or Renewed
 - 28. Speaking Engagements, Travel, or Public Relation Requests, and Reports

L. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

M. Deliberation on DLSC Matters

- 1. Case Closing**
 - a. 25 PHT 0018 – M.J.B. (62-69)

- N. Deliberation of Items Added After Preparation of the Agenda**
 - 1. Education and Examination Matters
 - 2. Credentialing Matters
 - 3. DLSC Matters

4. Monitoring Matters
5. Professional Assistance Procedure (PAP) Matters
6. Petitions for Summary Suspensions
7. Petitions for Designation of Hearing Examiner
8. Proposed Stipulations, Final Decisions and Orders
9. Proposed Interim Orders
10. Administrative Warnings
11. Review of Administrative Warnings
12. Proposed Final Decisions and Orders
13. Matters Relating to Costs/Orders Fixing Costs
14. Case Closings
15. Board Liaison Training
16. Petitions for Assessments and Evaluations
17. Petitions to Vacate Orders
18. Remedial Education Cases
19. Motions
20. Petitions for Re-Hearing
21. Appearances from Requests Received or Renewed

O. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

P. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate

Q. Open Session Items Noticed Above Not Completed in the Initial Open Session

R. Delegation and Ratification of Examinations, Licenses and Certificates

ADJOURNMENT

NEXT MEETING: MAY 13, 2026

 MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED
 WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dsps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of any agenda item may be changed by the board for the convenience of the parties. The person credentialed by the board has the right to demand that the meeting at which final action may be taken against the credential be held in open session. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer or reach the Meeting Staff by calling 608-267-7213.

**VIRTUAL/TELECONFERENCE
PHYSICAL THERAPY EXAMINING BOARD
MEETING MINUTES
NOVEMBER 5, 2025**

PRESENT: Lisa Bader, PTA; Kate Brewer, PT (*arrived at 8:43 a.m.*); Brad Bulkow, PT; Steven Johnson, PT; Todd McEldowney (*arrived at 9:15 a.m.*)

STAFF: Brad Wojciechowski, Executive Director; Joseph Ricker, Legal Counsel; Sofia Anderson, Administrative Rule Coordinator; Tracy Drinkwater, Board Administration Specialist; and other Department Staff

CALL TO ORDER

Steven Johnson, Chairperson, called the meeting to order at 8:30 a.m. A quorum was confirmed with three (3) members present.

ADOPTION OF AGENDA

MOTION: Steven Johnson moved, seconded by Brad Bulkow, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF AUGUST 6, 2025

MOTION: Steven Johnson moved, seconded by Brad Bulkow, to approve the Minutes of August 6, 2025, as published. Motion carried unanimously.

INTRODUCTIONS, ANNOUNCEMENTS AND RECOGNITION

Recognition: Barbara A. Carter, Physical Therapist Assistant Member (Resigned: 7/1/2025)

MOTION: Steven Johnson moved, seconded by Lisa Bader, to recognize and thank Barbara A. Carter for their years of dedicated service to the Board and State of Wisconsin. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Preliminary Rule Draft: PT 1, relating to compact privilege process clarification

MOTION: Brad Bulkow moved, seconded by Steven Johnson, to approve the preliminary rule draft of PT 1, relating to compact privilege process clarification, for posting for economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

Kate Brewer arrived at 8:43 a.m.

Preliminary Rule Draft: PT 1 and 5, relating to telehealth and supervision of PTAs

MOTION: Brad Bulkow moved, seconded by Steven Johnson, to approve the preliminary rule draft of PT 1 and 5, relating to telehealth and supervision of PTAs, for posting for economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

Pending or Possible Rulemaking Matters: PT 9, relating to continuing education providers

MOTION: Steven Johnson moved, seconded by Kate Brewer, to request DSPS staff draft a Scope Statement PT 9, relating to continuing education providers. Motion carried unanimously.

CLOSED SESSION

MOTION: Steven Johnson moved, seconded by Kate Brewer, to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), Stats. and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Steven Johnson, Chairperson, read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Lisa Bader-yes; Kate Brewer-yes; Brad Bulkow-yes; and Steven Johnson-yes. Motion carried unanimously.

The Board convened into Closed Session at 9:07 a.m.

**DELIBERATION ON DIVISION OF LEGAL SERVICES
AND COMPLIANCE (DLSC) MATTERS**

Case Closings***25 PHT 0001 – J.M.J.***

MOTION: Steven Johnson moved, seconded by Brad Bulkow, to close DLSC Case Number 25 PHT 0001, against J.M.J., for Lack of Jurisdiction (L2). Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Steven Johnson moved, seconded by Kate Brewer, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 9:15 a.m.

Todd McEldowney arrived at 9:15 a.m.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION IF
VOTING IS APPROPRIATE**

MOTION: Steven Johnson moved, seconded by Kate Brewer, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the Closed Session motions stand for the purposes of the affirmation vote.)

**DELEGATION AND RATIFICATION OF EXAMINATIONS,
LICENSES AND CERTIFICATES**

MOTION: Steven Johnson moved, seconded by Brad Bulkow, to delegate ratification of examination results to DSPS staff and to delegate and ratify all licenses and certificates as issued. Motion carried unanimously.

ADJOURNMENT

MOTION: Steven Johnson moved, seconded by Todd McEldowney, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 9:20 a.m.

**PHYSICAL THERAPY EXAMINING BOARD
2026 MEETING DATES**

Meeting Date	Start time	Location	Agenda Item Deadline
Tuesday, February 3, 2026	9:00 AM	Virtual	1/22/2026
Wednesday, May 13, 2026	9:00 AM	Virtual	5/1/2026
Wednesday, August 5, 2026	9:30 AM	Virtual	7/24/2026
Wednesday, November 11, 2026	9:30 AM	Virtual	10/30/2026

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

- 1) Name and title of person submitting the request: Audra Cohen-Plata, DPD Division Administrator
 - 2) Date When Request Submitted: 12/11/2025
 - 3) Name of Board, Committee, Council, Section: **All Boards**
 - 4) Meeting Date: **First Meeting of 2026**
-
- 5) Attachments: **Yes**
 - 6) How should the item be titled on the agenda page? **Administrative Matters: Annual Policy Review**
 - 7) Place Item in: **Open Session**
 - 8) Is an appearance before the Board being scheduled? No
 - 9) Name of Case Advisor(s), if applicable: N/A
-
- 10) Describe the issue and action that should be addressed:

Please be advised of the following policy item attachments:

- 1) 2026 Annual Policy Review Memo
- 2) Timeline of a Meeting
- 3) Sample Per Diem Report



DATE: January 1, 2026
TO: DSPP Board, Council, and Committee Members
FROM: Division of Policy Development
SUBJECT: 2026 Administrative Policy Reminders

Please be advised of the following policy items:

1. In-Person and Virtual Meetings: Depending on the frequency of scheduled meetings, discussion topics, and member availability, DSPP may host one or more in-person meetings. Virtual connection options are available for all board meetings. If you are traveling internationally, please see item 9 below.
2. Attendance/Quorum: Thank you for your service and commitment to meeting attendance. If you cannot attend a meeting or have scheduling conflicts impacting your attendance, please let us know as soon as possible. A quorum is required for Boards, Sections, and Councils to meet pursuant to Open Meetings Law. Connect to / arrive at meetings 10 minutes before posted start time to allow for audio/connection testing, and timely Call to Order and Roll Call. Virtual meetings include viewable onscreen materials and A/V (speaker/microphone/video) connections.
3. Walking Quorum: Board/Section/Council members must not collectively discuss the body's business outside a properly noticed meeting. If several members of a body do so, they could be violating the open meetings law.
4. Mandatory Training: All Board Members must complete Public Records and Ethics Training, annually. [Register to set up an account](#) in the Cornerstone LearnCenter online portal or [Log in](#) to an existing account.
5. Agenda Deadlines: Please communicate agenda topics to your Executive Director before the agenda submission deadline at 12:00 p.m., eight business days before a meeting. (Attachment: Timeline of a Meeting)
6. Travel Voucher and Per Diem Submissions: Please submit all Per Diem and Reimbursement claims to DSPP within 30 days of the close of each month in which expenses are incurred. (Attachment: Per Diem Form) Travel Vouchers are distributed on travel approval.
7. Lodging Accommodations/Hotel Cancellation Policy: Lodging accommodations are available to eligible members for in-person meetings. Standard eligibility: the member must leave home before 6:00 a.m. to attend an in-person meeting by the scheduled start time.
 - a. If a member cannot attend a meeting, they must cancel their reservation with the hotel within the applicable cancellation timeframe.
 - b. If a meeting is changed to occur remotely, is canceled, or rescheduled, DSPP staff will cancel or modify reservations as appropriate.
8. Inclement Weather Policy: In inclement weather, the DSPP may change a meeting from an in-person venue to a virtual/teleconference only.
9. International Travel: Use of State-managed IT resources and access of State data outside the United States are strictly prohibited, as they cause an unacceptable level of cybersecurity risk. This prohibition includes all State-provided or State-managed IT resources housed on personal devices. Please advise your Executive Director of any planned international travel commitments that may coincide with board meetings or other board business in advance of your departure.

Timeline of a Meeting

At least 2 weeks (10 business days) prior to the meeting

Submit Agenda Item suggestions to the Board's Executive Director. Include background materials. Copyright-protected materials must be accompanied by written permission from the publisher to share documents.

8 business days prior to the meeting

The Agenda is drafted. (All agenda materials are due to the Department by 12:00 p.m.)

7 business days prior to the meeting

The draft agenda is submitted to the Executive Director; the Executive Director transmits it to the Chair for review and approval.

5 business days prior to the meeting

The approved agenda is returned to the Board Administration Specialist (BA) for agenda packet production and compilation.

4 business days prior to the meeting

Agenda packets are posted on the DSPS Board SharePoint site and on the Board webpage.

Agenda Item Examples:

- | | |
|---|--|
| <ul style="list-style-type: none">• Open Session Items<ul style="list-style-type: none">• Public Hearings and Administrative Rules Matters• Administrative Matters• Legislation and Policy Matters• Credentialing Matters• Education and Exam Issues• Public Agenda Requests• Current Issues Affecting the Profession | <ul style="list-style-type: none">• Closed Session items<ul style="list-style-type: none">• Deliberations on Proposed Disciplinary Actions• Monitoring Matters• Professional Assistance Procedure (PAP) Issues• Proposed Final Decisions and Orders• Orders Fixing Costs/Matters Relating to Costs• Credentialing Matters• Education and Exam Issues |
|---|--|

Thursday of the Week Prior to the Meeting

Agendas are published for public notice on the Wisconsin Public Notices and Meeting Minutes website: publicmeetings.wi.gov.

1 business day after the Meeting

"Action" lists are distributed to Department staff detailing board actions on closed session business.

5 business days after the Meeting

"To Do" lists are distributed to staff to ensure that board open session decisions are acted on and/or implemented within the appropriate divisions in the Department. Minutes approved by the board are published on the Wisconsin Public Notices and Meeting Minutes website: publicmeetings.wi.gov.

PER DIEM REPORT

INSTRUCTIONS: Record board-related activities by date, indicate relevant purpose code, the duration of time spent in B-code activities, location, and activity description. Only one \$25.00 per diem payment will be issued on any given calendar day. Submit one form per month and within 60 days of the last activity being reported. Send completed forms to your Board's Administrative Specialist.

Purpose Codes:

A CODE	Official meetings including Board Meetings, Hearings and Examinations and Test Development Sessions (automatic day of per diem) Examples: board, committee, board training or screening panels; Senate Confirmation hearings, legislative and disciplinary hearings, or informal settlement conferences; test administration, test review or analysis events, national testing events, tour of test facilities, etc.
B CODE	Other (One (1) per diem will be issued for every five (5) hours spent in category B, per calendar month): i.e., review of disciplinary cases, consultation on cases, review of meeting materials, board liaison work, e.g., contacts regarding Monitoring, Professional Assistance Procedure, Credentialing, Education and Examinations

Name of Examining Board or Council				Board or Council Member's Name	
Month		Year		Employee ID Number	
Date	Purpose Code A or B	Duration of B activity Hours: Minutes	Where Performed (Home, DSPS, or City, State)	Activity Describe Activity Performed (see purpose codes)	
TOTALS					

CLAIMANT'S CERTIFICATION The Board/Council member named above, certifies, in accordance with § 16.53, Wis. Stats., that this account for per diem, is just and correct; and that this claim is for service necessarily incurred in the performance of duties required by the State, as authorized by law.

(Rev.04/24)

Board Member Approval & Date:

TOTAL DAYS CLAIMED: _____ @ \$25.00 = _____ Supervisor Approval & Date: _____

PHYSICAL THERAPY EXAMINING BOARD
2025 OFFICERS AND LIAISONS

2025 OFFICERS	
Chairperson	Steven Johnson
Vice Chairperson	Kate Brewer
Secretary	Brad Bulkow

LIAISON APPOINTMENTS	
Credentialing Liaison(s)	Brad Bulkow, Kate Brewer <i>Alternate: Steven Johnson</i>
Education and Examinations Liaison(s)	Steven Johnson,-Brad Bulkow
Monitoring Liaison(s)	Steven Johnson, Todd McEldowney <i>Alternate: Kate Brewer</i>
Professional Assistance Procedure (PAP) Liaison(s)	Steven Johnson <i>Alternate: Todd McEldowney</i>
Legislative Liaison(s)	Steven Johnson <i>Alternate: Brad Bulkow</i>
Travel Authorization Liaison(s)	Steven Johnson <i>Alternate: Kate Brewer</i>
Website Liaison(s)	Brad Bulkow , Todd McEldowney <i>Alternate: Steven Johnson</i>
Compact Liaison	Kate Brewer <i>Alternate: Brad Bulkow</i>
Screening Panel	Steven Johnson, Todd McEldowney <i>Alternate: Kate Brewer</i>

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Paralegal Richanda Turner, on behalf of Attorney Jameson Whitney		2) Date when request submitted: 01/16/26 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting																									
3) Name of Board, Committee, Council, Sections: Physical Therapy Examining Board																											
4) Meeting Date: 02/03/26	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Reaffirming 2025 delegations and new 2026 delegations																									
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? (If yes, please complete Appearance Request for Non-DSPS Staff) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A																									
10) Describe the issue and action that should be addressed: The Board members need to review and consider reaffirming 2025 delegations and new delegations for 2026.																											
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; vertical-align: top;">11)</td> <td style="width: 60%; text-align: center; vertical-align: top;">Authorization</td> <td style="width: 30%;"></td> </tr> <tr> <td></td> <td style="text-align: center; vertical-align: top;"><i>Richanda Turner</i></td> <td style="text-align: center; vertical-align: top;">01/16/26</td> </tr> <tr> <td></td> <td style="text-align: center; font-size: small;">Signature of person making this request</td> <td style="text-align: center; font-size: small;">Date</td> </tr> <tr> <td colspan="3" style="border-top: 1px solid black; height: 10px;"></td> </tr> <tr> <td></td> <td style="text-align: center; font-size: small;">Supervisor (Only required for post agenda deadline items)</td> <td style="text-align: center; font-size: small;">Date</td> </tr> <tr> <td colspan="3" style="border-top: 1px solid black; height: 10px;"></td> </tr> <tr> <td></td> <td style="text-align: center; font-size: small;">Executive Director signature (Indicates approval for post agenda deadline items)</td> <td style="text-align: center; font-size: small;">Date</td> </tr> <tr> <td colspan="3" style="border-top: 1px solid black; height: 10px;"></td> </tr> </table>				11)	Authorization			<i>Richanda Turner</i>	01/16/26		Signature of person making this request	Date					Supervisor (Only required for post agenda deadline items)	Date					Executive Director signature (Indicates approval for post agenda deadline items)	Date			
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	Executive Director signature (Indicates approval for post agenda deadline items)	Date																									
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.																											



State of Wisconsin
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES
CORRESPONDENCE / MEMORANDUM

DATE: January 1, 2026

TO: Board, Council, and Committee Members

FROM: Legal Counsel

SUBJECT: Liaison Definitions and Delegations Explanations

Executive Summary

This memorandum provides an overview of the liaison roles and common delegation authorities that enable DSPS Boards, Sections, and Committees to efficiently fulfill their statutory responsibilities. It explains the function of each liaison position, such as, Credentialing, Monitoring, PAP, Education and Examination, Legislative, Travel Authorization, and Communication Liaisons, as well as Screening Panel Members, and outlines how these roles support Board operations between meetings. This memorandum also includes model motions for liaisons, Department staff, and Department attorneys to ensure timely processing of credential applications, monitoring requests, disciplinary matters, and administrative tasks. The delegations promote consistency, reduce delays, and allow the Department and Boards to respond promptly to legal and operational needs while maintaining their responsibility to protect public health, safety, and welfare.

Overall Purpose of Liaison Appointments

Each Board/Section (Board) has inherent authority that is established in our Wisconsin Statutes. This authority may change from Board to Board. Further information on your Board's authority can be found in Wis. Stat. ch. 15. Generally, each Board has authority to grant credentials, discipline credential holders, and set standards for education and examinations and unprofessional conduct. In order to efficiently accomplish these tasks, Boards may appoint Liaisons. Liaisons assist with the operations of the Boards' purpose by weighing in on legislative matters, traveling to national conferences, or communicating with stakeholders.

At the first Board meeting of each year, the Department asks the Boards to make Liaison appointments. Your practical knowledge and experience as an appointed member of a professional board are essential in making determinations regularly. The Liaison positions listed below assist

the Department to complete operations between Board meetings. In most cases, Liaisons can make decisions for the full Board in their designated area. However, these areas are determined through the delegation process. Please note a Liaison may also decide to send the delegated matter to the full Board for consideration as appropriate. Delegations assist the Board in defining the roles and authorities of each Liaison and other Board functions.

Liaison Definitions

Credentialing Liaison: The Credentialing Liaison is empowered by the Board to review and make determinations regarding certain credential applications. The Credentialing Liaison may be called on by Department staff to answer questions that pertain to qualifications for licensure, which may include whether a particular degree is suitable for the application requirements, whether an applicant's specific work experience satisfies the requirements in statute or rule for licensure, or whether an applicant's criminal or disciplinary history is substantially related to the practice of the profession in such a way that granting the applicant a credential would create a risk of harm to the public. The Credentialing Liaison serves a very important role in the credentialing process. If the Credentialing Liaison has a question on a request, it is advisable for the Liaison to consult further with Department staff or bring the matter to the full Board for consideration.

Monitoring Liaison: The Monitoring Liaison is empowered by the Board to make decisions on any credential that is subject to Monitoring either through a disciplinary order or initial licensure. The Department Monitors will send requests from credential holders to the Monitoring Liaison. A common request could be to remove a limitation that has been placed on a credential or to petition for full licensure. The Monitoring Liaison can review these requests and make decisions on behalf of the Board. If the Monitoring Liaison has a question on a request, it is advisable for the Liaison to consult further with Department staff or bring the matter to the full Board for consideration.

Professional Assistance Procedure (PAP) Liaison: PAP is a voluntary program open to credential holders with substance abuse issues who wish to seek help by being held accountable through treatment and monitoring by the Department and Board. As part of PAP, the credential holder enters into an agreement with the Department to undergo testing, counseling, or other rehabilitation. The PAP Liaison's role includes responding to credential holders' requests for modifications and terminations of provisions of the agreement. Similar to the Monitoring Liaison, the Department Monitors will send requests from credential holders to the PAP Liaison for further review.

Education and Examination Liaison: Some Boards are required by statute or rule to approve qualifying education and examinations. The Education and Examination Liaison provides guidance to Department staff to exercise authority of the Board to approve or decline examinations and educational programs and related requests. This determination requires a level of professional expertise and should be performed by a professional member of the Board. For some Boards, the Education and Examination Liaison will also be tasked with approving continuing education programs and courses.

Legislative Liaison: The Legislative Liaison is not the Board's designated lobbyist and should exercise their delegated authority carefully. The Legislative Liaison is permitted to act and speak

on the Board's behalf regarding pending and enacted legislation or actions being considered by the legislature outside of Board meetings. Please review Wis. Stat. ch. 13 for important reminders on lobbying.

Travel Authorization Liaison: The Travel Authorization Liaison is authorized to approve a Board member to travel to events and speak or act on the Board's behalf between Board meetings. The Travel Authorization Liaison is called upon to make decisions when sufficient notice was not received, and the full Board could not determine a representative to travel. The Travel Authorization Liaison is tasked with making determinations if the Board appointed representative is not able to attend or if the Board becomes authorized to send additional members as scholarship and funding streams can be unpredictable.

Communication Liaison: The Communication Liaison responds to questions that arise on behalf of the Board. The Communication Liaison works with the Department to cultivate an appropriate response which will be sent by the Executive Director or Board Counsel. The Communication Liaison **can** be responsible for all types of communication on behalf of the Board. However, the Board can appoint a separate **Website Liaison** to work with DSPS staff to make changes and ensure the Board webpage contains updated and accurate information. Additionally, for the Boards that are required by statute to produce a newsletter or digest, the Board can appoint a separate **Newsletter/Digest Liaison** to assemble and approve content for those communications.

Screening Panel Members: Screening Panel Members review incoming complaints against credential holders and determine which complaints should be opened for investigation and which complaints should be closed without further action. The complexity and amount of work in this role depends substantially on your Board. As a member of the Screening Panel, you are asked to apply your professional expertise to determine if a complaint alleges unprofessional conduct.

Delegations Explanations

CREDENTIALING DELEGATIONS

The overall purpose of credentialing delegations is to allow the credentialing process to proceed as efficiently and effectively as possible.

Delegation of Authority to Credentialing Liaison (Generic)

MOTION EXAMPLE: to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them, including the signing of documents related to applications.

PURPOSE: To allow a representative of the Board to assist Department staff with credentialing applications and eliminate the need for the entire Board to convene to consider credential application content or questions. Additionally, it is most efficient to have the designated liaison

who has assisted with the credentialing process be able to effectuate decisions which require a signature.

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION EXAMPLE: to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review.

PURPOSE: To permit Department staff to efficiently issue credentials and eliminate the need for Board/Section/Liaison review when all credentialing legal requirements are met in an application. This delegation greatly decreases the workload of Board members and cuts down processing time on applications.

Delegation of Authority for Predetermination Reviews

MOTION EXAMPLE: to delegate authority to the Department attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f).

PURPOSE: In general, the Wisconsin Fair Employment Act (codified in Wis. Stat. Ch. 111) prohibits licensing agencies from discriminating against applicants because of their arrest and/or conviction record. However, there are exceptions which permit denial of a license in certain circumstances. Individuals who do not possess a license have a legal right to apply for a determination of whether they are disqualified from obtaining a license due to their conviction record. This process is called “Predetermination.” Predetermination reviews must be completed within 30 days. This delegation allows Department attorneys to conduct predetermination reviews and efficiently make these legal determinations without need for Board/Section/Liaison review.

Delegation of Authority for Conviction Reviews

MOTION EXAMPLE: to delegate authority to the Department attorneys to review and approve applications with convictions which are not substantially related to the relevant professional practice.

PURPOSE: As used here, “substantially related” is a legal standard that is used in the Wisconsin Fair Employment Act. The concept of what is “substantially related” is informed by case law. This delegation permits Department attorneys to independently conduct conviction reviews and efficiently approve applications if convictions are not substantially related to the practice of the profession. Applications that contain conviction records that may be substantially related to the practice of a profession will still be submitted to the Credentialing Liaison for input.

Delegation to DSPS When Applicant's Disciplinary History Has Been Previously Reviewed

MOTION EXAMPLE: to delegate authority to Department staff to approve applications where Applicant's prior discipline has been approved for a previous credential and there is no new discipline.

PURPOSE: Some Boards offer progressive levels of credentials. This delegation eliminates the need for a re-review of discipline that has already been considered and approved by the Board/Section/Liaison for a lower-level credential.

Delegation to DSPS When Applicant's Conviction History Has Been Previously Reviewed

MOTION EXAMPLE: to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous credential and there is no new conviction record.

PURPOSE: Some Boards offer progressive levels of credentials. This delegation eliminates the need for a re-review of conviction history that has already been reviewed and approved for a lower-level credential.

Delegation of Authority for Reciprocity Reviews

MOTION EXAMPLE: to delegate authority to the Department attorneys to review and approve reciprocity applications in which the out-of-state license requirements meet Wisconsin license requirements. (Specific legal standards are referenced in the motion depending on credential/profession type.)

PURPOSE: Applications via reciprocity or endorsement require comparison of Wisconsin licensing requirements to the licensing requirements of another jurisdiction. These reviews consider the legal standard for reciprocity, which varies by profession, as well as the specified legal requirements to obtain licensure in the profession. This delegation permits Department attorneys to independently conduct reciprocity reviews and efficiently approve applications if legal standards and requirements are met for licensure. Applications for which reciprocity may not be available will still be submitted to the Credentialing Liaison for input.

Delegation of Authority for Military Reciprocity Reviews

MOTION EXAMPLE: to delegate authority to the Department attorneys to review and approve military reciprocity applications in which the individual meets the requirements of Wis. Stat. § 440.09.

PURPOSE: The law permits service members, former service members, and their spouses to be licensed if they hold licensure in other jurisdictions that qualify them to perform acts authorized by the credential they are seeking in Wisconsin. This is a shortened path to licensure that does not require meeting the specific requirements/standards for licensure/reciprocity in a profession. By law, the Department/Board must expedite the issuance of a reciprocal license via military

reciprocity. This delegation permits Department attorneys to independently conduct military reciprocity reviews and efficiently approve applications if legal standards and requirements are met for licensure. Applications for which reciprocity may not be available will still be submitted to the Credentialing Liaison for input.

Delegation of Authority for Application Denial Reviews

MOTION EXAMPLE: to delegate authority to the Department's attorney supervisors to serve as the Board designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential.

PURPOSE: When an application is denied, the applicant has a legal right to appeal the denial determination. Applicants must meet a specified legal standard in order to have an appeal granted. Additionally, Wisconsin law sets specific time frames for appeal decisions. This delegation permits Department attorney supervisors to independently review and efficiently act on requests for hearing as a result of a denial of a credential.

Delegation to Department Attorneys to Approve Duplicate Legal Issue

MOTION EXAMPLE: to delegate authority to Department attorneys to approve a legal matter in connection with a renewal application when that same/similar matter was already addressed by the Board and there are no new legal issues for that credential holder.

PURPOSE: The intent of this delegation is to be able to approve prior discipline by the Board for the renewal applicant. This delegation eliminates the need for a re-review of discipline that has already been considered and approved by the Board/Section/Liaison.

Delegation to Department Attorneys to Approve Prior Discipline

MOTION EXAMPLE: to delegate authority to Department attorneys to approve an applicant's prior professional discipline which resulted in a forfeiture/fine/other monetary penalty, remedial education, and/or reprimand, that is 10 years old or older, and the previously disciplined credential is currently in good standing.

PURPOSE: In order to continue improving processing application legal reviews in a timely matter, this delegation gives Department attorneys authority to approve prior professional discipline which meets all of the following criteria: (1) it is at least ten years old; (2) it resulted in a monetary penalty, remedial education, and/or reprimand; and (3) the previously disciplined credential is currently in good standing.

MONITORING DELEGATIONS

The overall purpose of monitoring delegations is to be able to enforce the Boards orders and limited licenses as efficiently and effectively as possible. Monitoring delegations have two categories: delegations to the Monitoring Liaison and delegations to the Department Monitor.

Delegation of Authority to Department Monitor

MOTION EXAMPLE: to delegate authority to the Department Monitor:

- a. to grant full reinstatement of licensure if education is the only limitation and credential holder has submitted the required proof of course completion.
- b. to suspend the credential if the credential holder has not completed Board ordered education, paid costs, paid forfeitures, within the time specified by the Board Order.
- c. to lift a suspension when compliance with education and costs provisions have been met.

PURPOSE: These delegations allow for the Department Monitor to automatically act on requests when certain criteria are met or not met without needing to burden the Monitoring Liaison. The Board can set their own criteria for what actions they would like to be handled by the Department, the Monitoring Liaison, and the full Board.

Delegation of Authority to Monitoring Liaison

MOTION EXAMPLE: to delegate authority to the Monitoring Liaison to approve or deny all requests received from the credential holder.

PURPOSE: These delegations allow the Board to set criteria for what decisions can be made by the Board member(s) serving as the Monitoring Liaison and what matters should be decided by the full Board.

Education and Examination Delegations

MOTION EXAMPLE: to delegate authority to the Education and Examination Liaison(s) to address all issues related to qualifying education, continuing education and examinations. Motion carried unanimously. (Differs by Board.)

PURPOSE: Some Boards are responsible for approving qualifying educational programs or continuing education courses. A delegation is executed in order for an Education and Examination Liaison to make these determinations on behalf of the Board and with assistance of the Department. Additionally, some Boards review examinations and individual scores to qualify for a credential.

MISCELLANEOUS DELEGATIONS

Document Signature

MOTION EXAMPLE: to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

MOTION EXAMPLE: in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the

Executive Director, Board Counsel, or DPD Division Administrator, the authority to sign on behalf of a Board member as necessary. Motion carried unanimously.

PURPOSE: To take the action approved at Board meetings, the Department may need to draft correspondence and/or Orders after the meetings have adjourned. These actions then need to be signed by a Board Member. This interaction usually takes place over email and a Board member can authorize the use of their signature that is kept on file.

Urgent Matters

MOTION EXAMPLE: in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

PURPOSE: Allows for quick responses to urgent matters that may need Board approval or for which the Department requires guidance from the Board.

Delegation to Chief Legal Counsel-Due to Loss of Quorum

MOTION EXAMPLE: to delegate the review and authority to act on disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried unanimously.

PURPOSE: Sometimes Boards can struggle to meet quorum necessary to conduct business. This happens for a multitude of reasons, but this delegation allows for the Boards to have disciplinary cases decided by Chief Legal Counsel if the Board fails to meet quorum for two consecutive meetings.

Delegation to Chief Legal Counsel-Stipulated Resolutions

MOTION EXAMPLE: to delegate to the Department's Chief Legal Counsel the authority to act on behalf of the Board concerning stipulated resolutions providing for a surrender, suspension, or revocation of a credential, where the underlying merits involve serious and dangerous behavior, and where the signed stipulation is received between Board meetings. The Board further requests that Chief Legal Counsel only act on such matters when the best interests of the Board, Department, and the Public are best served by acting upon the stipulated resolution at the time the signed stipulation is received versus waiting for the next Board meeting. Motion carried unanimously.

PURPOSE: For matters of public safety, it may be necessary to take immediate action on a stipulated agreement rather than allowing a credential holder to continue practicing unencumbered until the next scheduled meeting. This delegation allows Chief Legal Counsel to act on behalf of the Board when there is a stipulated agreement. A stipulated agreement is an agreement to which all relevant parties have consented to the terms.

Voluntary Surrenders

MOTION EXAMPLE: to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter.

MOTION EXAMPLE: to delegate authority to the Department to accept the voluntary surrender of a credential when there is no pending complaint or disciplinary matter with the Department pursuant to Wis. Stat. § 440.19.

PURPOSE: Credential holders can ask the Boards to accept surrender of their credentials at any time. These delegations are in place for the different situations that arise from those requests. If a credential holder is seeking to surrender their credential because they wish to leave the profession, that can be processed with this delegation by the Department if they have no pending disciplinary complaints. If the credential holder wishes to surrender while they have a pending disciplinary complaint, that request is reviewed by the individual Board member assigned to the case.

DLSC Pre-screening

MOTION EXAMPLE: to delegate pre-screening decision making authority to the DSPS screening attorney for opening cases where the credential holder has failed to respond to allegations contained in the complaint when requested by intake (case will be opened on failure to respond and the merits of the complaint).

PURPOSE: Pre-screening delegations exist so the Board can define specific parameters where the Department can review disciplinary complaints and open those cases if they meet certain criteria. Boards also have the authority to set certain criteria that would allow the Department to review and close a case if the criteria is met.

Delegation to Handle Administrative Rule Matters

MOTION EXAMPLE: to delegate authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to act on behalf of the Board regarding administrative rule matters between meetings. Motion carried unanimously.

PURPOSE: In order to advance the administrative rules process, action may need to occur between meetings. This allows for quick responses to urgent matters that may need Board approval or for which the Department requires guidance from the Board.

**PHYSICAL THERAPY EXAMINING BOARD
2025 DELEGATIONS
FEBRUARY 5, 2025**

New Delegations for 2025

Delegation to Approve Performance Self-Audit Report

MOTION: Barbara Carter moved, seconded by Kate Brewer, to authorize the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession) to review and approve the performance self-audit report required by Wis. Stat. § 448.567, for filing with the Legislature. Motion carried unanimously.

Delegation to Department Attorneys to Approve Prior Discipline

MOTION: Kate Brewer moved, seconded by Steven Johnson, to delegate authority to Department Attorneys to approve an applicant's prior professional discipline which resulted in a forfeiture/fine/other monetary penalty, remedial education, and/or reprimand, that is 10 years old or older, and the previously disciplined credential is currently in good standing. Motion carried unanimously.

Delegation to Handle Administrative Rule Matters

MOTION: Barbara Carter moved, seconded by Brad Bulkow to delegate authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to act on behalf of the Board regarding administrative rule matters between meetings. Motion carried unanimously.

Review and Approval of 2024 Delegations including new modifications

MOTION: Barbara Carter moved, seconded by Steven Johnson, to reaffirm all delegation motions made in 2024, as reflected in the February 5, 2025, agenda materials, which were not otherwise modified or amended during the February 5, 2025, meeting. Motion carried unanimously.

All Combined Delegations for 2025

Review and Approval of 2024 Delegations including new modifications

MOTION: Barbara Carter moved, seconded by Steven Johnson, to reaffirm all delegation motions made in 2024, as reflected in the February 5, 2025, agenda materials, which were not otherwise modified or amended during the February 5, 2025, meeting. Motion carried unanimously.

Document Signature Delegations

MOTION: Shari Berry moved, seconded by Barbara Carter, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

MOTION: Shari Berry moved, seconded by John Greany, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

Delegated Authority for Urgent Matters

MOTION: Shari Berry moved, seconded by Barbara Carter, that in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

Delegation to Chief Legal Counsel Due to Loss of Quorum

MOTION: Shari Berry moved, seconded by Todd McEldowney, to delegate the review and authority to act on disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried unanimously.

Delegation to Chief Legal Counsel for Stipulated Resolutions

MOTION: Shari Berry moved, seconded by Barbara Carter, to delegate to DSPS Chief Legal Counsel the authority to act on behalf of the Board concerning stipulated resolutions providing for a surrender, suspension, or revocation of a credential, where the underlying merits involve serious and dangerous behavior, and where the signed stipulation is received between Board meetings. The Board further requests that CLC only act on such matters when the best interests of the Board, Department and the Public are best served by acting upon the stipulated resolution at the time the signed stipulation is received versus waiting for the next Board meeting. Motion carried unanimously.

Monitoring Delegations

Delegation of Authorities for Legal Counsel to Sign Monitoring Orders

MOTION: Barbara Carter moved, seconded by Shari Berry, to delegate to Legal Counsel the authority to sign Monitoring orders that result from Board meetings on behalf of the Board Chairperson. Motion carried unanimously.

Delegation to Monitoring Liaison

MOTION: Steven Johnson moved, seconded by Kate Brewer, to delegate authority to the Monitoring Liaison(s) to make any determination on Orders under monitoring and to refer to the Full Board any matter the Monitoring Liaison deems appropriate. Motion carried unanimously.

Delegation to Department Monitor

MOTION: Barbara Carter moved, seconded by Brad Bulkow, to delegate authority to the Department Monitor as outlined below:

1. to grant reinstatement of licensure if education and/or costs are the sole condition of the order and the credential holder has submitted the required proof of completion for approved courses and paid the costs.
2. to suspend the license if the credential holder has not completed Board ordered education and/or paid costs and forfeitures within the time specified by the Board order. The Department Monitor may remove the suspension and issue an order when proof of completion and/or payment has been received.
3. to suspend the license (or remove stay of suspension) if a credential holder fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if credential holder ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
4. to grant or deny approval when a credential holder proposes treatment providers, mentors, and supervisors unless the Order specifically requires full-Board or Board designee approval.
5. to grant a maximum of one 90-day extension, if warranted and requested in writing by a credential holder, to complete Board ordered continuing, disciplinary, or remedial education.
6. to grant a maximum of one 90-day extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by a credential holder.

7. to grant a maximum of one 90-day extension, if warranted and requested in writing by a credential holder, to complete a Board ordered evaluation or exam.

Motion carried unanimously.

Credentialing Authority Delegations

Delegation of Authority to Credentialing Liaison

MOTION: Shari Berry moved, seconded by Barbara Carter, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them, including the signing of documents related to applications. Motion carried unanimously.

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION: Shari Berry moved, seconded by Barbara Carter, to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review. Motion carried unanimously.

Delegation of Authority for Predetermination Reviews

MOTION: Shari Berry moved, seconded by Steven Johnson, to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f). Motion carried unanimously.

Delegation to Department Attorneys to Approve Prior Discipline

MOTION: Kate Brewer moved, seconded by Steven Johnson, to delegate authority to Department Attorneys to approve an applicant's prior professional discipline which resulted in a forfeiture/fine/other monetary penalty, remedial education, and/or reprimand, that is 10 years old or older, and the previously disciplined credential is currently in good standing. Motion carried unanimously.

Delegation of Authority for Conviction Reviews

MOTION: Shari Berry moved, seconded by Steven Johnson, to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the practice of physical therapy. Motion carried unanimously.

Delegation to DSPS When Applicant's Discipline History Has Been Previously Reviewed

MOTION: Shari Berry moved, seconded by Todd McEldowney, to delegate authority to Department staff to approve applications where Applicant's prior

discipline has been approved for a previous physical therapy credential and there is no new discipline. Motion carried. Opposed: John Greany

Delegation to DSPS When Applicant's Conviction History Has Been Previously Reviewed

MOTION: Shari Berry moved, seconded by Barbara Carter, to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous physical therapy credential and there is no new conviction record. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Shari Berry moved, seconded by Steven Johnson, that the Department's Attorney Supervisors are authorized to serve as the Board's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

Delegation of Authority for Military Reciprocity Reviews

MOTION: Shari Berry moved, seconded by Barbara Carter, to delegate authority to the Department Attorneys to review and approve military reciprocity applications in which the individual meets the requirements of Wis. Stat. § 440.09. Motion carried unanimously.

Pre-Screening Delegation to Open Cases

MOTION: Shari Berry moved, seconded by Steven Johnson, to delegate pre-screening decision making authority to the DSPS screening attorney for opening cases as outlined below:

1. OWIs of 3 or more that occurred in the last 5 years.
2. Reciprocal discipline cases.
3. Impairment and/or diversion at work that includes a positive drug/alcohol test or admission by respondent.
4. Conviction of a misdemeanor or felony that the attorney believes is substantially related and is not otherwise excluded from consideration via Wis. Stat. ch. 111.
5. No response from the respondent after intake requested a response (case would be opened for the failure to respond issue as well as the merits).

Motion carried unanimously.

Pre-Screening Delegation to Close Cases

MOTION: Shari Berry moved, seconded by Barbara Carter, to delegate pre-screening decision making authority to the DSPS screening attorney for closing cases as outlined below:

1. One OWI that is non-work related and if AODA assessment completed, assessment does not indicate dependency.
 2. Complaints that even if allegations are true, do not amount to a violation of law or rules.
- Motion carried unanimously.

Voluntary Surrenders

MOTION: Shari Berry moved, seconded by Todd McEldowney, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

MOTION: Shari Berry moved, seconded by Steven Johnson, to delegate authority to the Department to accept the voluntary surrender of a credential when there is no pending complaint or disciplinary matter with the Department pursuant to Wis. Stat. § 440.19. Motion carried unanimously.

Education and Examination Liaison(s) Delegation

MOTION: Todd moved, seconded by Barbara Carter, to delegate authority to the Education and Examination Liaison(s) to address all issues related to education, continuing education, and examinations. Motion carried unanimously.

Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Bodies

MOTION: Shari Berry moved, seconded by Barbara Carter, to authorize DSPS staff to provide national regulatory related bodies with all board member contact information that DSPS retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

MOTION: Barbara Carter moved, seconded by Shari Berry, to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to board-related business within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

Legislative Liaison Delegation

MOTION: Barbara Carter moved, seconded by Shari Berry, to delegate authority to the Legislative Liaison(s) to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

Travel Authorization Liaison Delegation

MOTION: Barbara Carter moved, seconded by Steven Johnson, to delegate authority to the Travel Authorization Liaison(s) to approve any board member travel to and/or participation in events germane to the board, and to designate representatives from the Board to speak and/or act on the Board's behalf at such events. Motion carried unanimously.

Website Liaison(s) Delegation

MOTION: Shari Berry moved, seconded by Barbara Carter, to authorize to the Website Liaison(s) to act on behalf of the Board in working with Department staff to identify and execute website updates. Motion carried unanimously.

Compact Liaison(s) Delegation

MOTION: Shari Berry moved, seconded by Todd McEldowney, to delegate to the Compact Liaison the authority to act and answer questions on any matters related to the Physical Therapy Licensure Compact. Motion carried unanimously.

Delegation to Handle Administrative Rule Matters

MOTION: Barbara Carter moved, seconded by Brad Bulkow to delegate authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to act on behalf of the Board regarding administrative rule matters between meetings. Motion carried unanimously.

Delegation to Approve Performance Self-Audit Report

MOTION: Barbara Carter moved, seconded by Kate Brewer, to authorize the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession) to review and approve the performance self-audit report required by Wis. Stat. § 448.567, for filing with the Legislature. Motion carried unanimously.

Compact Liaison(s) Delegation, Amended

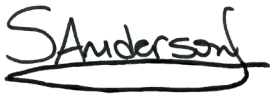
MOTION: [Board member name] moved, seconded by [Board member name], to delegate to the Compact Liaison the authority to act and answer questions on any matters related to the Physical Therapy Licensure Compact, **and to also serve as the representative to the Physical Therapy Compact Commission.** Motion carried unanimously.

Review and Approval of 2025 Delegations including new modifications

MOTION: [Board member name] moved, seconded by [Board member name], to reaffirm all delegation motions made in 2025, as reflected in the February 3, 2026 agenda materials, which were not otherwise modified or amended during the February 3, 2026 meeting. Motion carried [].

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Sofia Anderson – Administrative Rules Coordinator		2) Date when request submitted: 01/22/2026 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Physical Therapy Examining Board			
4) Meeting Date: February 3, 2026	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? 9:00 A.M. Public Hearing – Clearinghouse Rule 25-089: PT 1 and 5, relating to telehealth and supervision of physical therapy assistants. 9:00 A.M. Public Hearing – Clearinghouse Rule 25-090: PT 1, relating to compact privilege process clarification. 1. Review Public Hearing comments and respond to Clearinghouse report.	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: The Board will hold two public hearings on these rules as required by the rulemaking process.			
11) Authorization <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;">  <hr/> Signature of person making this request </div> <div style="text-align: center;"> <hr/> 01/22/2026 Date </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="text-align: center;"> <hr/> Supervisor (if required) </div> <div style="text-align: center;"> <hr/> Date </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="text-align: center;"> <hr/> Executive Director signature (indicates approval to add post agenda deadline item to agenda) </div> <div style="text-align: center;"> <hr/> Date </div> </div>			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

STATE OF WISCONSIN
PHYSICAL THERAPY EXAMINING BOARD

IN THE MATTER OF RULEMAKING	:	PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE	:	PHYSICAL THERAPY
PHYSICAL THERAPY EXAMINING	:	EXAMINING BOARD
BOARD	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE)

PROPOSED ORDER

An order of the Physical Therapy Examining Board **to amend** PT 5.01 (2) (h) and **to create** PT 1.02 (12m) relating to telehealth and supervision of physical therapist assistants

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: Section 448.56, Stats.

Statutory authority: Sections 15.08 (5) (b), 227.11 (2) (a), 440.17, and 448.56 (6), Stats.

Explanation of agency authority:

Section 15.08 (5) (b), Stats., provides an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains. . .”

Section 227.11 (2) (a), Stats., provides that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute...”

Section 440.17, Stats., provides that “[i]f the department, an examining board, or an affiliated credentialing board promulgates rules related to telehealth, the department, the examining board, or the affiliated credentialing board shall define ‘telehealth’ to have the meaning given in s. 440.01 (1) (hm).”

Section 448.56 (6), Stats., provides that “[a] physical therapist assistant may assist a physical therapist in the practice of physical therapy if the physical therapist provides direct or general supervision of the physical therapist assistant. The examining board shall promulgate rules defining ‘direct or general supervision’ for purposes of this subsection. Nothing in this subsection interferes with delegation authority under any other provision of this chapter.”

Related statute or rule:

Chapters PT 1 and 5

Plain language analysis:

The Board reviewed the supervision requirements in chapter PT 5 in order to bring it up to current standards of practice in supervising physical therapist assistants according to new telehealth practice based on the changes of 2021 Wisconsin Act 121. The following are the changes made by the Board:

1. Added a definition of “telehealth” in PT 1.02 (12m).
2. Amended the provision in PT 5.01 (2) (h) to remove the term “on-site” as a requirement for the assessment and reevaluation of a patient when a physical therapist is providing supervision. This was done to allow for the assessment and reevaluation to be done via telehealth, provided specific conditions are met.

Summary of, and comparison with, existing or proposed federal regulation:

None

Summary of public comments received on statement of scope and a description of how and to what extent those comments and feedback were taken into account in drafting the proposed rule:

N/A

Comparison with rules in adjacent states:**Illinois**

The Illinois Physical Therapy Act states that physical therapist assistants can perform patient care activities under the general supervision of a licensed physical therapist, who must maintain continual contact with the physical therapist assistant including periodic personal supervision and instruction. In the case of physical therapist or physical therapist assistant students, the physical therapist supervising shall be on-site and readily available for direct supervision and instruction to protect the safety and welfare of the patient. Per the Act, a physical therapist assistant working under supervision may provide physical therapy via telehealth as long as it is not an initial evaluation without a referral or established diagnosis, which can only be performed by a physical therapist. The Act also states that the use of telehealth must be an exception in case of documented hardships related to geographical, physical, or weather-related conditions. Additionally, the patient must be able to request and receive in-person care at any point of the treatment, which means a physical therapy practice must have the capacity to provide in-person care within the State of Illinois. [225 ILCS 90]

Iowa

Iowa establishes that a physical therapist who is providing supervision must be readily available on-site or telephonically for advice, assistance, or instruction any time a physical therapist assistant is providing physical therapy services. The supervising physical therapist shall hold regularly scheduled meetings with the physical therapist assistant to evaluate their performance, assess the progress of the patient, and make changes to the plan of care as needed. The frequency of the meetings should be determined by the supervising physical therapist based on the needs of the patient, the supervisory needs of the physical therapist assistant, and any planned discharge. The minimum frequency of direct participation by a supervising physical therapist shall be determined by the physical therapist using professional judgment and based on the needs of the patient. The Code states that direct participation can occur through an in-person or telehealth visit and establishes minimum standards depending on the setting where the physical therapy services are being performed. In a hospital inpatient and skilled nursing, the direct participation has to happen at least once per calendar week. In all other setting, the direct participation must happen at least every 8th visit or every 30 calendar days, whichever comes first. [481 IAC 801.4]

In regard to telehealth visits, Iowa provides that a licensee may engage in telehealth visits as long as they are held to the same standard of care as a licensee who provides in-person physical therapy and that telehealth visits should not be used if the technology does not guarantee the same standard of care as an in-person visit. [481 IAC 801.3]

Michigan

Michigan establishes that a physical therapist shall supervise a physical therapist assistant to whom they have delegated acts, tasks, or functions. This supervision shall include regular meetings to evaluate the physical therapist assistant's performance, review records, and educate the physical therapist assistant on the acts, tasks, or functions that have been delegated. [MI Admin. Code R 338.7138]

Michigan also establishes that telehealth visits are permissible provided that the licensee is acting within the scope of their practice and is exercising the same standard of care applicable to a traditional, in-person healthcare service. [MI Admin Code R 338.7127]

Minnesota

Minnesota establishes that physical therapist who delegate components of a patient's treatment to a physical therapist assistant shall provide on-site observation of the treatment and documentation of its appropriateness at least every 6 treatment sessions. However, the provision declares that the physical therapist is not required to be on site but must be easily available by telecommunications. [MN Statutes Section 148.706]

Summary of factual data and analytical methodologies:

The Board reviewed chs. PT 1 and 5 to clarify the requirements of telehealth and supervision of physical therapist assistants. The Board also researched the legislation in adjacent states when determining the conditions for appropriate electronic communications when providing supervision to physical physical assistants.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

The proposed rules will be posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis is attached.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department’s Regulatory Review Coordinator may be contacted by email at Daniel.Hereth@wisconsin.gov, or by calling (608) 267-2435.

Agency contact person:

Sofia Anderson, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8306; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Sofia Anderson, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, WI 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received on or before the public hearing on February 3, 2026, to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. PT 1.02 (12m) is created to read:

PT 1.02 (12m) “Telehealth” has the meaning given in s. 440.01 (1) (hm), Stats.

SECTION 2. PT 5.01 (2) (h) is amended to read:

PT 5.01 (2) (h) Provide ~~on-site~~ assessment and reevaluation of each patient at a minimum of one time per calendar month or every tenth treatment day, whichever is sooner, and adjust the treatment plan as appropriate. The assessment and reevaluation may be conducted via telehealth if all of the following conditions are met:

1. The supervising physical therapist, using their professional judgment, determines that telehealth is an appropriate modality for the patient's specific condition and circumstances.
2. The patient or their legal guardian has provided informed consent that is specific to the use of telehealth for these services.
3. The supervising physical therapist is responsible for all of the following:
 - a. Determining and documenting the clinical reasons why telehealth is appropriate for the assessment and reevaluation.
 - b. Ensuring that telehealth services are provided in real time, allowing for interactive communication between the physical therapist and the patient.
 - c. Determining that any person assisting the patient at the remote location during a telehealth session is capable of safely providing the necessary assistance.

SECTION 3. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	2. Date November 5, 2025								
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) PT 1 and 5									
4. Subject Telehealth and Supervision of Physical Therapist Assistants									
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected s. 20.165 (1) (g)								
7. Fiscal Effect of Implementing the Rule <table style="width: 100%;"><tr><td><input type="checkbox"/> No Fiscal Effect</td><td><input type="checkbox"/> Increase Existing Revenues</td><td><input checked="" type="checkbox"/> Increase Costs</td><td><input type="checkbox"/> Decrease Costs</td></tr><tr><td><input type="checkbox"/> Indeterminate</td><td><input type="checkbox"/> Decrease Existing Revenues</td><td colspan="2"><input type="checkbox"/> Could Absorb Within Agency's Budget</td></tr></table>		<input type="checkbox"/> No Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input checked="" type="checkbox"/> Increase Costs	<input type="checkbox"/> Decrease Costs	<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Could Absorb Within Agency's Budget	
<input type="checkbox"/> No Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input checked="" type="checkbox"/> Increase Costs	<input type="checkbox"/> Decrease Costs						
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Could Absorb Within Agency's Budget							
8. The Rule Will Impact the Following (Check All That Apply) <table style="width: 100%;"><tr><td><input checked="" type="checkbox"/> State's Economy</td><td><input type="checkbox"/> Specific Businesses/Sectors</td></tr><tr><td><input type="checkbox"/> Local Government Units</td><td><input type="checkbox"/> Public Utility Rate Payers</td></tr><tr><td colspan="2"><input type="checkbox"/> Small Businesses (if checked, complete Attachment A)</td></tr></table>		<input checked="" type="checkbox"/> State's Economy	<input type="checkbox"/> Specific Businesses/Sectors	<input type="checkbox"/> Local Government Units	<input type="checkbox"/> Public Utility Rate Payers	<input type="checkbox"/> Small Businesses (if checked, complete Attachment A)			
<input checked="" type="checkbox"/> State's Economy	<input type="checkbox"/> Specific Businesses/Sectors								
<input type="checkbox"/> Local Government Units	<input type="checkbox"/> Public Utility Rate Payers								
<input type="checkbox"/> Small Businesses (if checked, complete Attachment A)									
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0									
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No									
11. Policy Problem Addressed by the Rule The Board reviewed the supervision requirements in chapter PT 5 in order to bring it up to current standards of practice in supervising physical therapist assistants according to new telehealth practice based on the changes of 2021 Wisconsin Act 121. The following are the changes made by the Board: 1. Added a definition of "telehealth" in PT 1.02 (12m). 2. Amended the provision in PT 5.01 (2) (h) to remove the term "on-site" as a requirement for the assessment and reevaluation of a patient when a physical therapist is providing supervision. This was done to allow for the assessment and reevaluation to be done via telehealth, provided specific conditions are met.									
12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments. The proposed rules will be posted on the Department's website for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.									
13. Identify the Local Governmental Units that Participated in the Development of this EIA. None.									
14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred) DSPS estimates a total of \$6,000.00 in one-time and \$5,200.00 in ongoing staffing costs to implement the rule. The estimated need for 0.1 limited term employee (LTE) is for education on the new law, coordination of board meetings and agenda, promulgation of rules, legal review and consultation and internal review. The estimated annual staffing need for a 0.1 full time employee (FTE) is for investigation and prosecuting new cases, monitoring new orders, drafting orders, and answering inquires. The one-time and annual estimated costs cannot be absorbed in the currently appropriated									

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

agency budget.

15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The alternative to promulgating rules would be to not update the rules. This would leave the rules as they are, which is causing access problems for patients, and it would also leave the rules inconsistent with statutory provisions.

16. Long Range Implications of Implementing the Rule

This rule will provide clarification of telehealth and its role in the supervision requirements for physical therapist assistants, which will have long term benefits by improving understanding for licensees, as well as aiding in improving continuity of patient care.

17. Compare With Approaches Being Used by Federal Government

None

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Illinois

The Illinois Physical Therapy Act states that physical therapist assistants can perform patient care activities under the general supervision of a licensed physical therapist, who must maintain continual contact with the physical therapist assistant including periodic personal supervision and instruction. In the case of physical therapist or physical therapist assistant students, the physical therapist supervising shall be on-site and readily available for direct supervision and instruction to protect the safety and welfare of the patient. Per the Act, a physical therapist assistant working under supervision may provide physical therapy via telehealth as long as it is not an initial evaluation without a referral or established diagnosis, which can only be performed by a physical therapist. The Act also states that the use of telehealth must be an exception in case of documented hardships related to geographical, physical, or weather-related conditions. Additionally, the patient must be able to request and receive in-person care at any point of the treatment, which means a physical therapy practice must have the capacity to provide in-person care within the State of Illinois. [225 ILCS 90]

Iowa

Iowa establishes that a physical therapist who is providing supervision must be readily available on-site or telephonically for advice, assistance, or instruction any time a physical therapist assistant is providing physical therapy services. The supervising physical therapist shall hold regularly scheduled meetings with the physical therapist assistant to evaluate their performance, assess the progress of the patient, and make changes to the plan of care as needed. The frequency of the meetings should be determined by the supervising physical therapist based on the needs of the patient, the supervisory needs of the physical therapist assistant, and any planned discharge. The minimum frequency of direct participation by a supervising physical therapist shall be determined by the physical therapist using professional judgment and based on the needs of the patient. The Code states that direct participation can occur through an in-person or telehealth visit and establishes minimum standards depending on the setting where the physical therapy services are being performed. In a hospital inpatient and skilled nursing, the direct participation has to happen at least once per calendar week. In all other setting, the direct participation must happen at least every 8th visit or every 30 calendar days, whichever comes first. [481 IAC 801.4]

In regard to telehealth visits, Iowa provides that a licensee may engage in telehealth visits as long as they are held to the same standard of care as a licensee who provides in-person physical therapy and that telehealth visits should not be used if the technology does not guarantee the same standard of care as an in-person visit. [481 IAC 801.3]

Michigan

Michigan establishes that a physical therapist shall supervise a physical therapist assistant to whom they have delegated acts, tasks, or functions. This supervision shall include regular meetings to evaluate the physical therapist assistant's performance, review records, and educate the physical therapist assistant on the acts, tasks, or functions that have been delegated. [MI Admin. Code R 338.7138]

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

Michigan also establishes that telehealth visits are permissible provided that the licensee is acting within the scope of their practice and is exercising the same standard of care applicable to a traditional, in-person healthcare service. [MI Admin Code R 338.7127]

Minnesota

Minnesota establishes that physical therapist who delegate components of a patient's treatment to a physical therapist assistant shall provide on-site observation of the treatment and documentation of its appropriateness at least every 6 treatment sessions. However, the provision declares that the physical therapist is not required to be on site but must be easily available by telecommunications. [MN Statutes Section 148.706]

19. Contact Name	20. Contact Phone Number
Sofia Anderson, Administrative Rules Coordinator	608-261-4463

This document can be made available in alternate formats to individuals with disabilities upon request.

ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- ☐ Less Stringent Compliance or Reporting Requirements
☐ Less Stringent Schedules or Deadlines for Compliance or Reporting
☐ Consolidation or Simplification of Reporting Requirements
☐ Establishment of performance standards in lieu of Design or Operational Standards
☐ Exemption of Small Businesses from some or all requirements
☐ Other, describe:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

☐ Yes ☐ No



Wisconsin Legislative Council

RULES CLEARINGHOUSE

Scott Grosz
Clearinghouse Director

Margit Kelley
Clearinghouse Assistant Director

Anne Sappenfield
Legislative Council Director

CLEARINGHOUSE RULE 25-089

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Council Staff and the Legislative Reference Bureau, dated November 2020.]

1. Statutory Authority

In the “Statutes interpreted” section of the rule analysis, consider adding s. 440.17, Stats. Also, in the same section, consider referencing s. 448.56 (6), Stats., specifically.

2. Form, Style and Placement in Administrative Code

a. In s. PT 5.01 (2) (h), subds. 1. and 3. a. appear to be very similar, with only the requirement to document being the substantive difference. Consider incorporating subd. 3. a. into subd. 1.

b. In conjunction with comment a., above, consider shifting subdps. 3. b. and c. up one level to be subdivisions in order to state the conditions more directly and in an active voice. Section PT 5.01 (2) (h) 3. b. could be amended to state: “The supervising physical therapist provides the telehealth assessment and reevaluation in real time, allowing”. Section PT 5.01 (2) (h) 3. c. could be amended to state: “The supervising physical therapist determines that any person assisting”.

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In s. PT 5.01 (2) (h) 1. and 2., consider replacing the use of “their” in the proposed rule with “the supervising physical therapist’s” and “the patient’s”. Alternatively, in subd. 1., could “their” be removed so that the clause reads “using professional judgment,”? [s. 1.05 (2), Manual.]

b. In the “Plain language analysis” section of the rule analysis, consider stating more directly, as a third change, the creation of the specific conditions required in order to conduct a telehealth assessment and reevaluation.

Draft with Clearinghouse comments and proposed changes

STATE OF WISCONSIN PHYSICAL THERAPY EXAMINING BOARD

IN THE MATTER OF RULEMAKING	:	PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE	:	PHYSICAL THERAPY
PHYSICAL THERAPY EXAMINING	:	EXAMINING BOARD
BOARD	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE 25-089)

PROPOSED ORDER

An order of the Physical Therapy Examining Board **to amend** PT 5.01 (2) (h) and **to create** PT 1.02 (12m) relating to telehealth and supervision of physical therapist assistants

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted:

Sections 440.17 and 448.56 (6), Stats.

Statutory authority:

Sections 15.08 (5) (b), 227.11 (2) (a), 440.17, and 448.56 (6), Stats.

Explanation of agency authority:

Section 15.08 (5) (b), Stats., provides an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains. . .”

Section 227.11 (2) (a), Stats., provides that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute...”

Section 440.17, Stats., provides that “[i]f the department, an examining board, or an affiliated credentialing board promulgates rules related to telehealth, the department, the examining board, or the affiliated credentialing board shall define ‘telehealth’ to have the meaning given in s. 440.01 (1) (hm).”

Section 448.56 (6), Stats., provides that “[a] physical therapist assistant may assist a physical therapist in the practice of physical therapy if the physical therapist provides direct or general supervision of the physical therapist assistant. The examining board shall promulgate rules defining ‘direct or general supervision’ for purposes of this subsection. Nothing in this subsection interferes with delegation authority under any other provision of this chapter.”

Draft with Clearinghouse comments and proposed changes

Related statute or rule:

Chapters PT 1 and 5

Plain language analysis:

The Board reviewed the supervision requirements in chapter PT 5 in order to bring it up to current standards of practice in supervising physical therapist assistants according to new telehealth practice based on the changes of 2021 Wisconsin Act 121. The following are the changes made by the Board:

1. Added a definition of “telehealth” in PT 1.02 (12m).
2. Amended the provision in PT 5.01 (2) (h) to remove the term “on-site” as a requirement for the assessment and reevaluation of a patient when a physical therapist is providing supervision. This was done to allow for the assessment and reevaluation to be done via telehealth, provided specific conditions are met.
3. Established specific conditions required to conduct a telehealth assessment and reevaluation.

Summary of, and comparison with, existing or proposed federal regulation:

None

Summary of public comments received on statement of scope and a description of how and to what extent those comments and feedback were taken into account in drafting the proposed rule:

N/A

Comparison with rules in adjacent states:

Illinois

The Illinois Physical Therapy Act states that physical therapist assistants can perform patient care activities under the general supervision of a licensed physical therapist, who must maintain continual contact with the physical therapist assistant including periodic personal supervision and instruction. In the case of physical therapist or physical therapist assistant students, the physical therapist supervising shall be on-site and readily available for direct supervision and instruction to protect the safety and welfare of the patient. Per the Act, a physical therapist assistant working under supervision may provide physical therapy via telehealth as long as it is not an initial evaluation without a referral or established diagnosis, which can only be performed by a physical therapist. The Act also states that the use of telehealth must be an exception in case of documented hardships related to geographical, physical, or weather-related conditions. Additionally, the patient must be able to request and receive in-person care at any point of the treatment, which

Draft with Clearinghouse comments and proposed changes

means a physical therapy practice must have the capacity to provide in-person care within the State of Illinois. [225 ILCS 90]

Iowa

Iowa establishes that a physical therapist who is providing supervision must be readily available on-site or telephonically for advice, assistance, or instruction any time a physical therapist assistant is providing physical therapy services. The supervising physical therapist shall hold regularly scheduled meetings with the physical therapist assistant to evaluate their performance, assess the progress of the patient, and make changes to the plan of care as needed. The frequency of the meetings should be determined by the supervising physical therapist based on the needs of the patient, the supervisory needs of the physical therapist assistant, and any planned discharge. The minimum frequency of direct participation by a supervising physical therapist shall be determined by the physical therapist using professional judgment and based on the needs of the patient. The Code states that direct participation can occur through an in-person or telehealth visit and establishes minimum standards depending on the setting where the physical therapy services are being performed. In a hospital inpatient and skilled nursing, the direct participation has to happen at least once per calendar week. In all other setting, the direct participation must happen at least every 8th visit or every 30 calendar days, whichever comes first. [481 IAC 801.4]

In regard to telehealth visits, Iowa provides that a licensee may engage in telehealth visits as long as they are held to the same standard of care as a licensee who provides in-person physical therapy and that telehealth visits should not be used if the technology does not guarantee the same standard of care as an in-person visit. [481 IAC 801.3]

Michigan

Michigan establishes that a physical therapist shall supervise a physical therapist assistant to whom they have delegated acts, tasks, or functions. This supervision shall include regular meetings to evaluate the physical therapist assistant's performance, review records, and educate the physical therapist assistant on the acts, tasks, or functions that have been delegated. [MI Admin. Code R 338.7138]

Michigan also establishes that telehealth visits are permissible provided that the licensee is acting within the scope of their practice and is exercising the same standard of care applicable to a traditional, in-person healthcare service. [MI Admin Code R 338.7127]

Minnesota

Minnesota establishes that physical therapist who delegate components of a patient's treatment to a physical therapist assistant shall provide on-site observation of the treatment and documentation of its appropriateness at least every 6 treatment sessions. However, the provision declares that the physical therapist is not required to be on site but must be easily available by telecommunications. [MN Statutes Section 148.706]

Summary of factual data and analytical methodologies:

Draft with Clearinghouse comments and proposed changes

The Board reviewed chs. PT 1 and 5 to clarify the requirements of telehealth and supervision of physical therapist assistants. The Board also researched the legislation in adjacent states when determining the conditions for appropriate electronic communications when providing supervision to physical physical assistants.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

The proposed rules will be posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis is attached.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Jennifer.Garrett@wisconsin.gov, or by calling (608) 266-2112.

Agency contact person:

Sofia Anderson, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 14497, Madison, Wisconsin 53708-0497; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Sofia Anderson, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 14497, Madison, WI 53708-0497, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received on or before the public hearing on February 3, 2026, to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. PT 1.02 (12m) is created to read:

PT 1.02 (12m) “Telehealth” has the meaning given in s. 440.01 (1) (hm), Stats.

SECTION 2. PT 5.01 (2) (h) is amended to read:

Draft with Clearinghouse comments and proposed changes

PT 5.01 (2) (h) Provide ~~on-site~~ assessment and reevaluation of each patient at a minimum of one time per calendar month or every tenth treatment day, whichever is sooner, and adjust the treatment plan as appropriate. The assessment and reevaluation may be conducted via telehealth if all of the following conditions are met:

1. The supervising physical therapist, using their professional judgment, determines ~~that~~ and documents the clinical reasons for utilizing telehealth is as an appropriate modality ~~for~~ based on the patient's ~~specific~~ condition and circumstances.
2. The patient or ~~their~~ the patient's legal guardian has provided informed consent that is specific to the use of telehealth for these services.
3. The supervising physical therapist is responsible for all of the following:
 - a. ~~Determining and documenting the clinical reasons why telehealth is appropriate for the assessment and reevaluation.~~
 - b. Ensuring that telehealth services are provided in real time, Provides the telehealth assessment and reevaluation in real time allowing for interactive communication between the physical therapist and the patient.
 - c. Determining Determines that any person assisting the patient at the remote location during a telehealth session is capable of safely providing the necessary assistance.

OR

The supervising physical therapist provides the telehealth assessment and reevaluation in real time, allowing for interactive communication between the physical therapist and the patient.

The supervising physical therapist determines that any person assisting the patient at the remote location during a telehealth session is capable of safely providing the necessary assistance.

SECTION 3. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

STATE OF WISCONSIN
PHYSICAL THERAPY EXAMINING BOARD

IN THE MATTER OF RULEMAKING	:	PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE	:	PHYSICAL THERAPY
PHYSICAL THERAPY EXAMINING	:	EXAMINING BOARD
BOARD	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE)

PROPOSED ORDER

An order of the Physical Therapy Examining Board **to amend** PT 1.04 (intro), (2), (3), and (Note); and **to repeal and recreate** PT 1.04 (1), relating to compact privilege process clarification.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: Subchapter IX of ch. 448, Stats.

Statutory authority: Sections 15.08 (5) (b), and 227.11 (2) (a), Stats.

Explanation of agency authority:

Section 15.08 (5) (b), Stats., provides that an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 227.11 (2) (a), Stats., provides that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute...”

Related statute or rule:

Subchapter IX of ch. 448, Stats.

Plain language analysis:

The Board reviewed chapter PT 1 and clarified the compact privilege requirements process in PT 1.04 in order to comply with the Physical Therapy Licensure Compact process set forth in subchapter XI of chapter 448 of the Wisconsin Statutes and the Physical Therapy Compact Commission.

Summary of, and comparison with, existing or proposed federal regulation:

None

Summary of public comments received on statement of scope and a description of how and to what extent those comments and feedback were taken into account in drafting the proposed rule:

N/A

Comparison with rules in adjacent states:

Illinois:

Illinois is not a member state of the Physical Therapy Licensure Compact.

Iowa:

Iowa is a member state of the Physical Therapy Licensure Compact and is actively issuing compact privileges. Rules of the Iowa Board of Physical and Occupational Therapy address issuing compact privilege and the practice of physical therapy under a compact privilege (645 IAC 200.3).

Michigan:

Michigan is not a member state of the Physical Therapy Licensure Compact.

Minnesota:

Minnesota is not a member state of the Physical Therapy Licensure Compact.

Summary of factual data and analytical methodologies:

The proposed rules were developed by reviewing subch. IX of ch. 448, Stats., which ratifies the Physical Therapy Licensure Compact, ch. OT 2, and conducting an evaluation and update of the Physical Therapy Examining Board's rules to ensure that the code is compliant with current standards of practice .

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

The proposed rules will be posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis is attached.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Jennifer.Garrett@wisconsin.gov, or by calling (608) 266-2112.

Agency contact person:

Sofia Anderson, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8306; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Sofia Anderson, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, WI 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received on or before the public hearing on February 3, 2026, to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. PT 1.04 (intro) is amended to read:

PT 1.04 Compact privilege requirements. Every person applying for a compact privilege shall ~~submit to the board~~ meet all of the following requirements:

SECTION 2. PT 1.04 (1) is repealed and recreated to read:

(1) Complete the compact application process.

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(2) ~~The~~ Pay the fee specified in s. 448.985 (3) (d), Stats.

(3) ~~Evidence of successful completion of~~ Successfully pass the examination specified in s. PT 2.01 (6) (c).

Note: ~~An application~~ Application instructions for a compact privilege may be obtained from the department of safety and professional services' website at www.dsps.wi.gov.

SECTION 4. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	2. Date November 5, 2025								
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) PT 1									
4. Subject Compact Privilege Process Clarification									
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected s. 20.165 (1) (g)								
7. Fiscal Effect of Implementing the Rule <table style="width: 100%;"><tr><td><input type="checkbox"/> No Fiscal Effect</td><td><input type="checkbox"/> Increase Existing Revenues</td><td><input checked="" type="checkbox"/> Increase Costs</td><td><input type="checkbox"/> Decrease Costs</td></tr><tr><td><input type="checkbox"/> Indeterminate</td><td><input type="checkbox"/> Decrease Existing Revenues</td><td colspan="2"><input type="checkbox"/> Could Absorb Within Agency's Budget</td></tr></table>		<input type="checkbox"/> No Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input checked="" type="checkbox"/> Increase Costs	<input type="checkbox"/> Decrease Costs	<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Could Absorb Within Agency's Budget	
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<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Could Absorb Within Agency's Budget							
8. The Rule Will Impact the Following (Check All That Apply) <table style="width: 100%;"><tr><td><input checked="" type="checkbox"/> State's Economy</td><td><input type="checkbox"/> Specific Businesses/Sectors</td></tr><tr><td><input type="checkbox"/> Local Government Units</td><td><input type="checkbox"/> Public Utility Rate Payers</td></tr><tr><td colspan="2"><input type="checkbox"/> Small Businesses (if checked, complete Attachment A)</td></tr></table>		<input checked="" type="checkbox"/> State's Economy	<input type="checkbox"/> Specific Businesses/Sectors	<input type="checkbox"/> Local Government Units	<input type="checkbox"/> Public Utility Rate Payers	<input type="checkbox"/> Small Businesses (if checked, complete Attachment A)			
<input checked="" type="checkbox"/> State's Economy	<input type="checkbox"/> Specific Businesses/Sectors								
<input type="checkbox"/> Local Government Units	<input type="checkbox"/> Public Utility Rate Payers								
<input type="checkbox"/> Small Businesses (if checked, complete Attachment A)									
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0									
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No									
11. Policy Problem Addressed by the Rule The Board reviewed chapter PT 1 and clarified the compact privilege requirements process in PT 1.04 in order to comply with the Physical Therapy Licensure Compact process set forth in subchapter XI of chapter 448 of the Wisconsin Statutes and the Physical Therapy Compact Commission.									
12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments. The proposed rules will be posted on the Department's website for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.									
13. Identify the Local Governmental Units that Participated in the Development of this EIA. None.									
14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred) DSPS estimates a total of \$6,900.00 in one-time staffing costs to implement the rule. The estimated need for 0.1 limited term employee (LTE) is for coordination of board meetings, promulgation of rules, legal review and internal review and consultation. The one-time costs cannot be absorbed in the currently appropriated agency budget.									
15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule The alternatives of either partially updating or not updating these rules would be potential conflict with the process established by the Physical Therapy Compact Commission and confusion of stakeholders who want to practice in Wisconsin with a compact privilege to practice physical therapy.									
16. Long Range Implications of Implementing the Rule This rule will provide clarification of the compact privilege process, which will help stakeholders understand the proper steps to take in order to obtain a compact privilege through the PT Compact Commission.									
17. Compare With Approaches Being Used by Federal Government									

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

None

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Illinois:

Illinois is not a member state of the Physical Therapy Licensure Compact.

Iowa:

Iowa is a member state of the Physical Therapy Licensure Compact and is actively issuing compact privileges. Rules of the Iowa Board of Physical and Occupational Therapy address issuing compact privilege and the practice of physical therapy under a compact privilege (645 IAC 200.3).

Michigan:

Michigan is not a member state of the Physical Therapy Licensure Compact.

Minnesota:

Minnesota is not a member state of the Physical Therapy Licensure Compact.

19. Contact Name

Sofia Anderson, Administrative Rules Coordinator

20. Contact Phone Number

608-261-4463

This document can be made available in alternate formats to individuals with disabilities upon request.

ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- ☐ Less Stringent Compliance or Reporting Requirements
☐ Less Stringent Schedules or Deadlines for Compliance or Reporting
☐ Consolidation or Simplification of Reporting Requirements
☐ Establishment of performance standards in lieu of Design or Operational Standards
☐ Exemption of Small Businesses from some or all requirements
☐ Other, describe:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

☐ Yes ☐ No



Wisconsin Legislative Council

RULES CLEARINGHOUSE

Scott Grosz
Clearinghouse Director

Margit Kelley
Clearinghouse Assistant Director

Anne Sappenfield
Legislative Council Director

CLEARINGHOUSE RULE 25-090

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Council Staff and the Legislative Reference Bureau, dated November 2020.]

1. Statutory Authority

a. In the analysis, the proposed rule cites subch. IX of ch. 448, Stats., which governs the Physician Assistant Affiliated Credentialing Board, for the statutes interpreted. However, the Physical Therapy Licensure Compact is governed by subch. XI of ch. 448, Stats. This same edit should also be made in the summary of factual data and analytical methodologies.

b. In the analysis, the proposed rule cites subch. IX of ch. 448, Stats., as a related statute or rule. As noted above, those provisions are inapplicable. Consider revising this to subch. III of ch. 448, Stats., which governs the Physical Therapy Examining Board more generally.

5. Clarity, Grammar, Punctuation and Use of Plain Language

Under s. PT 1.04, ensure that each subsection results in a complete sentence when read with the introduction. With the phrasing in s. PT 1.04 (intro.), each subsection should begin with a noun, such as “completion”, “payment”, and “successful passage”, rather than a verb. Alternatively, the introduction phrasing could be revised from “meet all of the following requirements:” to “do all of the following:”, and the subsections would each begin with a verb, as provided.

Draft with Clearinghouse comments and proposed changes

STATE OF WISCONSIN PHYSICAL THERAPY EXAMINING BOARD

IN THE MATTER OF RULEMAKING	:	PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE	:	PHYSICAL THERAPY
PHYSICAL THERAPY EXAMINING	:	EXAMINING BOARD
BOARD	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE)

PROPOSED ORDER

An order of the Physical Therapy Examining Board **to amend** PT 1.04 (intro), (2), (3), and (Note); and **to repeal and recreate** PT 1.04 (1), relating to compact privilege process clarification.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: Subchapter ~~IX~~ XI of ch. 448, Stats.

Statutory authority: Sections 15.08 (5) (b), and 227.11 (2) (a), Stats.

Explanation of agency authority:

Section 15.08 (5) (b), Stats., provides that an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 227.11 (2) (a), Stats., provides that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute...”

Related statute or rule:

Subchapter ~~IX~~ III of ch. 448, Stats.

Plain language analysis:

The Board reviewed chapter PT 1 and clarified the compact privilege requirements process in PT 1.04 in order to comply with the Physical Therapy Licensure Compact process set forth in subchapter XI of chapter 448 of the Wisconsin Statutes and the Physical Therapy Compact Commission.

Summary of, and comparison with, existing or proposed federal regulation:

Draft with Clearinghouse comments and proposed changes

None

Summary of public comments received on statement of scope and a description of how and to what extent those comments and feedback were taken into account in drafting the proposed rule:

N/A

Comparison with rules in adjacent states:

Illinois:

Illinois is not a member state of the Physical Therapy Licensure Compact.

Iowa:

Iowa is a member state of the Physical Therapy Licensure Compact and is actively issuing compact privileges. Rules of the Iowa Board of Physical and Occupational Therapy address issuing compact privilege and the practice of physical therapy under a compact privilege (645 IAC 200.3).

Michigan:

Michigan is not a member state of the Physical Therapy Licensure Compact.

Minnesota:

Minnesota is not a member state of the Physical Therapy Licensure Compact.

Summary of factual data and analytical methodologies:

The proposed rules were developed by reviewing subch. ~~IX~~ XI of ch. 448, Stats., which ratifies the Physical Therapy Licensure Compact, ch. OT 2, and conducting an evaluation and update of the Physical Therapy Examining Board's rules to ensure that the code is compliant with current standards of practice .

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

The proposed rules will be posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis is attached.

Effect on small business:

Draft with Clearinghouse comments and proposed changes

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Jennifer.Garrett@wisconsin.gov, or by calling (608) 266-2112.

Agency contact person:

Sofia Anderson, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 14497, Madison, Wisconsin 53708-0497; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Sofia Anderson, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 14497, Madison, WI 53708-0497, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received on or before the public hearing on February 3, 2026, to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. PT 1.04 (intro) is amended to read:

PT 1.04 Compact privilege requirements. Every person applying for a compact privilege shall ~~submit to the board~~ **meet do** all of the following **requirements**:

SECTION 2. PT 1.04 (1) is repealed and recreated to read:

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(3) ~~Evidence of successful completion of~~ **Successfully pass** the examination specified in s. PT 2.01 (6) (c).

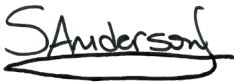
Note: ~~An application~~ **Application instructions** for a compact privilege may be obtained from the department of safety and professional services' website at www.dsps.wi.gov.

SECTION 4. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Sofia Anderson, Administrative Rules Coordinator		2) Date when request submitted: 01/22/2026 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Physical Therapy Examining Board			
4) Meeting Date: February 3, 2026	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Scope Statement: PT 9, relating to continuing education providers. 2. Pending or Possible Rulemaking Projects.	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session		8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A
10) Describe the issue and action that should be addressed: Attachments: <ul style="list-style-type: none"> Scope Statement: PT 9, relating to continuing education providers. Physical Therapy Rules Chart 			
11) Authorization <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">  <hr/> Signature of person making this request </div> <div style="text-align: right;"> <hr/> 01/22/2026 Date </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="text-align: center;"> <hr/> Supervisor (if required) </div> <div style="text-align: right;"> <hr/> Date </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="text-align: center;"> <hr/> Executive Director signature (indicates approval to add post agenda deadline item to agenda) </div> <div style="text-align: right;"> <hr/> Date </div> </div>			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

STATEMENT OF SCOPE

PHYSICAL THERAPY EXAMINING BOARD

Rule No.: PT 9

Relating to: Continuing education requirements

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The Board would like to review the continuing education requirements to evaluate whether the current provisions and standards reflect current standards for continuing education programs. The Board may also perform a comprehensive review of chapter PT 9 to ensure that the language is clear and up to date with current standards of practice.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

The Board has identified the need to review chapter PT 9 due to changes in the landscape of professional continuing education programs and courses for physical therapists and physical therapist assistants. The Board would like to ensure that the current requirements for acceptable continuing education credits and the mechanisms for course approval reflect these changes while maintaining the integrity and quality standards necessary to protect public health and safety.

Chapter PT 9 currently establishes the foundational requirements for the renewal of professional licenses held by physical therapists and physical therapist assistants, focusing specifically on continuing education. This chapter details the minimum number of continuing education hours required for renewal, outlines the specific criteria for what constitutes acceptable subject matter, and defines the procedures for the approval of continuing education programs and courses. Additionally, PT 9 addresses documentation requirements for licensees and sets forth the rules and processes related to granting extensions or waivers of the continuing education requirements under specific circumstances.

The alternative is not to review and potentially update chapter PT 9, which may leave existing requirements misaligned with new standards of practice, directly impeding professional development and growth within the physical therapy field.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.08 (5) (b), Stats., provides that an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 227.11 (2) (a), Stats., provides that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute...”

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

80 hours

6. List with description of all entities that may be affected by the proposed rule:

Licensed physical therapists and physical therapist assistants.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

The proposed rule will have minimal to no economic impact on small businesses and the state's economy as a whole.

Contact Person: Sofia Anderson, DSPSAdminRules@wisconsin.gov

Approved for publication:

Approved for implementation:

Authorized Signature

Authorized Signature

Date Submitted

Date Submitted

**Physical Therapy Examining Board
Rule Projects (updated 01/22/2026)**

Clearinghouse Rule Number	Scope #	Scope Expiration	Code Chapter Affected	Relating clause	Synopsis	Current Stage	Next Step
	005-24	07/16/2026	PT 1 and 5	Telehealth and supervision of Physical Therapist Assistants	The Board's primary objective is to review the supervision requirements in chapter PT 5 in order to bring it up to current standards of practice in supervising physical therapist assistants according to new telehealth practice. The Board will also conduct a comprehensive review of chapter PT 1 and 5 to implement the changes of 2021 Wisconsin Act 121 and make revisions to ensure statutory compliance.	Preliminary rule draft ready to be presented at the November meeting.	EIA Comment Period, Clearinghouse Review, and Public Hearing.
	010-25	08/24/2027	PT 1	Compact privilege process clarification	The Board's objective is to clarify and update the language in the compact privilege process in order to comply with the process established by the PT Compact Commission.	Preliminary rule draft ready to be presented at the November meeting.	EIA Comment Period, Clearinghouse Review, and Public Hearing.
			PT 9	Continuing education providers	The Board would like to review the continuing education requirements to evaluate whether the current provisions and standards reflect current standards for continuing education programs. The Board may also perform a comprehensive review of chapter PT 9 to ensure that the language is clear and up to date with current standards of practice.	Scope Statement ready for review at the February meeting.	Scope submission to Governor's Office and, after approval, to Administrative Register for publication.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Tom Ryan		2) Date when request submitted: 12/22/2025 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting											
3) Name of Board, Committee, Council, Sections: Physical Therapy Examining Board													
4) Meeting Date: 2/3/2026	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Federation of State Boards of Physical Therapy Matters – Board Travel <ul style="list-style-type: none"> Leadership Issues Forum – July 18-19, 2026, Arlington, VA Annual Education Meeting – October 22-24, 2026 – Greenville, South Carolina 											
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? (If yes, please complete Appearance Request for Non-DSPS Staff) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A											
10) Describe the issue and action that should be addressed: The Board will review FSBPT travel events for 2026 and consider appointing a delegate/designee and alternate, and authorizing travel.													
<table style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center; border-bottom: 1px solid black;"> 11) Authorization </td> </tr> <tr> <td style="width: 70%; border-bottom: 1px solid black;">Tom Ryan</td> <td style="width: 30%; border-bottom: 1px solid black; text-align: right;">12/22/2025</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Signature of person making this request</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Supervisor (Only required for post agenda deadline items)</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Executive Director signature (Indicates approval for post agenda deadline items)</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> </table>				11) Authorization		Tom Ryan	12/22/2025	Signature of person making this request	Date	Supervisor (Only required for post agenda deadline items)	Date	Executive Director signature (Indicates approval for post agenda deadline items)	Date
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